

Missouri Training and Employment Council
Tan-Tar-A Resort, Osage Beach, Missouri
October 13, 1999
8:00 am to 12:00 pm

MINUTES

Chair Patti Penny opened the meeting with a welcome to all MTEC members and guests. The first item on the agenda was an approval of the Executive Committee minutes and Full Council minutes from the September 21 and 22 meeting in Columbia. John Wittstruck noted that the total contracted amount with the University of Missouri Columbia was for \$78,275, not the \$78,000 as indicated in the Executive Committee minutes. Lanny Ellis further mentioned his attendance at that meeting was not reflected on the list of attendees. With the corrections, Jim Dickerson made a motion to approve the minutes of the Executive Committee. John Wittstruck seconded the motion. The motion passed unanimously. Motion was then made by Dale Gibson approve the Full Council minutes as presented with the stipulation for attendance to be re-checked. Fran Brothers seconded the motion. The motion passed unanimously.

The Executive Committee report then followed. Patti requested Ron Breshears address the Full Council with regard to the report given the Executive Committee on the issue of Workforce Investment Boards Operating Core and Intensive Services, which was referred to the Committee at the Full Council meeting on September 22nd. Ron summarized the points made at the Executive Committee the prior evening. The recommendation of the Strategic Planning Committee, in essence, prohibits local boards from delivering core and intensive and training services and from being designated or certified as a One-Stop Operator. The recommendation as presented is as follows :

Workforce Investment Boards Operating Core and Intensive Services—No Core or Intensive Services should be provided by Local Workforce Investment Boards, their staff or administrative designees, nor shall they be designated or certified as a One-Stop Operator after June 30, 2000. Local Elected Officials, however, shall be able to apply to the Missouri Training and Employment Council for a recommendation to the Governor for final decision, for an exemption from this service prohibition, if it can be shown there are no feasible alternatives to direct service provision. The intent of the Workforce Investment Act was to charge the Local Workforce Investment Boards with responsibility of making policy and not the delivery of service.

The Committee's position is that the local workforce investment boards policy-making and oversight function should be independent of the administration and delivery aspect of programs. The Committee believed that if the board's policy oversight responsibility was mixed with administration and delivery, there would occur conflict of interest. Additionally, the Committee believed that by keeping the roles independent of each other, it would allow for increased competition and improved quality of service. Ron moved that the policy recommendation of the Strategic Planning Committee be brought before the Council. Dale Gibson seconded the motion. The motion passed unanimously. Discussion by the Council regarding the language then followed. Alise

Martiny-Byrd commended the Committee on the hard work put forth in the recommendations as presented. She emphasized concern, however, about the "administrative designee" language and how it might affect SDA 3. SDA 3 is the current administrative designee and the service provider. She stated the recommendation may hinder urban areas such as St. Louis, Kansas City, St. Charles and Springfield, specifically SDA 3. Patti Penny then opened the discussion for public comment. Clyde McQueen, President of the Full Employment Council (FEC), presented the Council with a letter addressed to Patti Penny from SDA 3 PIC Board Chairman, Ben Watson. SDA 3 is currently the only suburban, rural and urban SDA. In 1986, the staffs of the private industry council and of the programs were merged along with the major employment and training programs to eliminate perceived redundancy, confusion to employers and the public, and administrative excess. The letter stressed concern about Council consideration of a policy that prohibits organizations such as FEC from staffing local workforce investment boards and providing operations, if local performance dictates and the local community desires. The proposed separation would cut administration costs from 20% to 10% of the budget and even with currently sought legislative appropriations, it is felt local funding would be necessary. Clyde then applauded the efforts of the Council in regional planning and local board appointment, and requested the Council consider the stated position of SDA 3. Patti Penny then complimented Clyde and the Full Employment Council on their continued performance.

George Eberle then stated the policy establishes the basic rule, which is prohibition by the Act for delivery of services by the administrative designee. Jim Jackson questioned whether the passage or rejection of the policy would help or hinder the recipients of the services. George stated his belief that the passage of the policy will help recipients because it will further clarify that the local elected official and the WIB will set the policy within their region. Prior confusion about policy origin will be clarified, as the recommendation clearly states that it is the local elected official who has a contract with the Federal government. The question then becomes whether or not the board can also award contracts to itself. Joe Driskill further confirmed that the law calls for a separation of policy and delivery of services which clearly in the current system we do not have. The local workforce investment board will continue to see that Core and Intensive Services are carried out, and the only way to do that is to arrive at a form of written performance contract rather than administrative designation. Jim Dickerson commented that as long as Customer-Focus is kept at the heart of the policy, the Council can navigate through the process, with the awareness that they may be called upon at a later date to define feasible alternatives. The issue will be revisited many times, and though it will force change in many areas, the Council should move forward with the recommendation. Russ then addressed Clyde McQueen's and Mr. Watson's concerns. He referenced the section in the Act which refers to the local elected officials appointments to serve on the local boards, and that the section mentions those individuals as having the optimum policy-making authority within their organizations to bring those same skills to their board. He further stated that Section 117 (D)(3)(d)(ii) specifically addresses that the local board may employ staff and the recommendation as presented does not prohibit staff from being hired. The question is with regard to what the staff could actually do, hence the language, "administrative designee." Russ reemphasized that the policy provides an avenue for appeal process from each of the LWIAs and LWIBs, because the Act does not outline a process for that to occur. The policy offers protection to the local area and allows the Council to implement the Act.

Patti Penny then called for the question. The motion passed, with Alise Martiny-Byrd voting against the motion.

Jim Dickerson next gave the Marketing Committee Report. Jim stated the Local Elected Official Manual was in its first review. The manual will be a comprehensive guide to Workforce Investment Act Implementation and is hoped to be provided to the LEOs at their annual Missouri Association of Counties Meeting, November 21-23, Tan-Tar-A Resort, Osage Beach. Lindell Thurman will hold a workshop focusing on these issues during the Conference. Jim gave an update on the progress of a logo. The Committee will forward three past examples of logos to the Kupper-Parker marketing firm, who will then generate selections for presentation to the Council at the December meeting. Following development of the logo, the Committee plans to develop a good marketing plan for the local elected officials.

Lanny Ellis reported next for the Evaluation and Awards Committee. Lanny thanked the Council for allowing his Committee to withhold announcement of the Governor's Conference Award Winners until yesterday. He commended the many excellent nominations. He then moved approval of the award recipients. Russ seconded the motion. The motion passed with Fran Brothers abstaining.

George Eberle then gave the Special Focus Committee Report. He presented the following resolutions supporting the Special Focus Committee for consideration:

It is the responsibility of the Missouri Training and Employment Council to advise the governor on state employment and training policy and that any policy or guideline may, over time, require modification to remain effective and in compliance with the Workforce Investment Act.

- 1) Be it hereby resolved that the Missouri Training and Employment Council recognizes that compliance pertaining to the implementation of the Workforce Investment Act is the responsibility of the Division of Workforce Development. The Division of Workforce Development staff will work in collaboration with the partner agencies identified in said law to resolve technical issues and develop practical procedures for compliance in its implementation. As this work moves forward, there may arise new policy issues or policy needs identified as the result of procedural implementation that are appropriate for the Council to study, review, and deliberate for the purpose of resolving by developing new advisory recommendations to the Governor.
- 2) Be it hereby resolved by the Missouri Training and Employment Council that the Chief Local Elected Official in each Workforce Investment Area is Authorized to begin the appointment of members to the local Workforce Investment Board. These members shall be certified by July 1, 2000 and are to be re-certified in July 2002 using a re-certification process in accordance with the law. The re-certification process will include, among other things, an examination of the extent to which Workforce Investment Board members represent individuals with disabilities as well as the racial, ethnic and cultural diversity of the labor markets in the Workforce Investment Area.

- 3) Be it hereby resolved by the Missouri Training and Employment Council that local Workforce Investment Boards are authorized to begin the local workforce development planning process. The planning process will conclude with the development of a Workforce Investment Plan for each Workforce Investment Area and its submittal to the Division of Workforce Development, in accordance with the Workforce Investment Act. Local plan development must include a regional planning process. Regional planning means the following actions, at a minimum: 1) identification of the other workforce related planning agencies in the Workforce Investment Area; 2) How the activities planned for the Workforce Investment Area respond to the needs of these other planning agencies; 3) How this response will achieve Workforce Investment Act outcomes. Establishment of the following areas for regional planning: the City of St. Louis, and Missouri Counties of St. Louis, St. Charles, Jefferson, Franklin, Warren and Lincoln as a St. Louis regional labor market; the City of Kansas City and the Missouri Counties of Ray, Clay, Jackson, Platte, Cass and Clinton as a Kansas City regional labor market; and the Missouri Counties of the former Service Delivery Area 11 and the County of Washington as a Southeast Missouri regional labor market.
- 4) Be it hereby resolved that local Workforce Investment Boards will represent the diversity of individuals with disabilities as well as the racial, ethnic, and cultural diversity of the labor markets within the Workforce Investment Area.

Edna Freeman moved to accept the motion. Nick Nichols seconded the motion. Discussion of the resolutions followed. John Wittstruck moved to amend the second resolution regarding the re-certification process to include insertion of "...among other things..." following "...will include...." Ron Breshears seconded the motion. The motion passed unanimously.

Joe Driskill asked George Eberle his view of the operational procedures of the Division of Workforce Development in ensuring that regional planning becomes a component of the local plans in each area. George stated that it was not the role of the Council to decide who carries it out. The local areas are to determine and respond to the issues. It is the role of DWD staff to create the policies and procedures for implementation of resolution #3 and to be focused on outcomes, but not to be so burdensome as to take away from the administration of programs. Each local area may go far beyond the scope of the resolutions, but the DWD staff is to establish minimum requirements. Russ McCampbell mentioned that the Vision Statement, and a mechanism for informing all the parties that they should begin submitting nominations to the LEOs, should be included or referenced in the resolutions. Dale Gibson mentioned the key issue is planning, not managing. Clyde stressed the need for one set of standards to be used in consideration of elements in planning for the WIA. The motion passed unanimously.

The next item on the agenda was the Memorandum of Understanding between MTEC and the One-Stop Executive Team. At a retreat for the One-Stop Executive Team in early June, it was decided that a state-level MOU would be beneficial. The MOU outlines the One-Stop Executive Team responsibilities to MTEC, as well as responsibilities to the local One-Stop System. Section 121(c) of the WIA requires a MOU to be developed between the local board and the local One-Stop providers and must include four items: listing of services, cost of what such services will be, discussion

regarding methods of referral, and duration of the MOU. Roger Baugher of DWD and Don Eisinger of DESE have worked with Russ in development of the MOU, and it remains a work in process. The MOU is an encouragement for the locals to begin the MOU process. Russ then briefly summarized the content of the MOU as presented. The intent is to get the document to the field for comment and final action to be taken at the December meeting. Joe Driskill recommended a paragraph be inserted into the document regarding how the One-Stop Executive Team relates to MTEC and what its position is, for clarification to all the partners involved. The document will go back to the One-Stop Executive Team for further review and inclusion of changes, then get the document to the field and back to the Council for final adoption at the December meeting.

The issue of local area designation was next on the agenda. Mike Pulliam stated that 6 of 8 counties have voted to merge with adjoining SDA 9. He requested that MTEC allow staff to continue to work with 2 counties to resolve the issue. The preference is allow the area to resolve the issue locally. He further mentioned the extension of the local plan submission date to 2/1/00 will allow staff the additional time. The issue should be resolved by the December meeting, or the Council may decide at that time to consider other options. Jim Dickerson stated that he has had to work closely with 11 LEOs for the purpose of planning, and that his area would like to move forward. Russ moved that the MTEC empower the Executive Committee to review and act upon any petitions related to designation of local workforce investment areas for ratification by Full Council in December. Ron seconded the motion. The motion passed, with Fran Brothers and Jim Dickerson abstaining. Joe Driskill moved that a letter be sent from Chair Patti Penny to the local elected officials in SDA 5 who have not yet made a decision on the issue. The letter should reacquaint them with the critical nature of the issues, including the roles and responsibilities inherent in the Workforce Investment Act, and the need for them to move forward with the decision. Dale Gibson seconded the motion. The motion passed, with Fran Brothers and Jim Dickerson abstaining.

An update on Section 122 Policy for approval to obtain public comment was given by Don Eisinger. Don reviewed the initial automatic and "other" provider eligibility and subsequent eligibility requirements and considerations as presented in the handout. Don also reviewed the required student data--no minimum and minimum standard WIA and Non-WIA. Edna Freeman issued concern about the \$1.00 over minimum wage being the minimum standard. John Wittstruck mentioned his concern over bringing in organizations that demonstrate less than a 50% success rate. And in going public with the public, he furthered stated the omission of "don't set the 'bar' too high" in discussion of considerations. The language may suggest to some that the Council has low expectations and aspirations with regard to these considerations. The minimum standard reflects low-scale, low-wage jobs but the challenge is to focus on the two types of clientele being served and what the earnings are. John mentioned his discontent with a final analysis of the outcome being that 98% of people served had average earnings of \$1.00 over minimum wage. Don mentioned that the challenge had been to come up with a wage that fit the wide range from low-end to high-end, and after the first year of subsequent eligibility, it is hoped a wage can be set by program that will make more sense. The need for public comment was addressed. Russ moved that the Council direct the partner agencies to secure multiple locations for public comment hearings throughout the state to obtain multiple input to get greater buy-in from

providers and employers. Specifically, the Northwest, Northeast, Metropolitan areas, Mid-Missouri, Southeast, South-Central and Southwest areas should be targeted. The opportunity should be made available to providers as well as PICs and LEOs to come and make comment. Mike O'Mara seconded the motion. The motion passed unanimously. Joe Driskill stated the need to define what Individual Training Accounts (ITAs) are in order to differentiate them. Russ McCampbell mentioned one other grant opportunity with regard to regional planning. The Council needs to be ready to publicly support the Division of Workforce Development and regional planning grants. Mike Pulliam stated there are possibly three competitive grant applications in Missouri for regional planning, and what would the Council's pleasure be regarding the process. Russ stated the Council should be ready to acknowledge the applications and MTEC will go on record to support regional planning as a whole, but not in any specific region.

Discussion occurred regarding the Governor's Outcomes and the item will be placed on the December meeting agenda.

The final agenda item was a state and local policy development dialogue with the Missouri Private Industry Council Committee (MOPICC). Jim Dickerson introduced the group and then asked the individual members to introduce themselves. Patti welcomed the group and mentioned the Council's desire to get input from MOPICC on the issues and decision items facing the Council. Discussion of board certification, local board appointments, local area planning and designation, and respective roles of the State Council and Private Industry Councils. Patti mentioned the difficulties in moving forward with WIA implementation due to the controversial nature of the issues and the interpretation of the Act. She stated the focus of the issues remain in service delivery to all customers, not just to those in categorical programs. WIA offers the opportunity for universality. The local elected officials must become more involved in the appointment process. Jim Dickerson stated the commitment of both MTEC and the PIC chairs are vital to the process, and a continued dialogue is key to making that happen.

Patti then moved the meeting adjourn. Jim Dickerson seconded the motion. The motion passed.

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Members:

Joe Driskill
Patti Penny
Russ McCampbell
John Wittstruck
Rick Hendin
Lanny Ellis
Bill Treece
John Dial
Edna Freeman
Jim Jackson
Nick Nichols

Fred Grayson
Dale Gibson
Ron Breshears
Fran Brothers
Jim Dickerson
Patricia Reid
Mike O'Mara
Catherine Leapheart for Karla McLucas
Milt Bischof
Alyse Martiny-Byrd

Staff and Guests:

David Mitchem
Jim Green
Susan Petersen
Rex Hall
Tom Reed
Larry Hightower
Tabatha West
Shirley Wilson
Neal Ball
Buffie Bay-Port
Judy Eggen
Ron Swift
Michael Waltman
Laura Kliethermes
Patricia Allen
Brenda Ancell

Roger Baugher
Lindell Thurman
Mark Mehmert
Pat Schacher
Ron Vessell
Rick Beasley
Janet Vaughn
Don Holt
Bob Simpson
Bob Hall
Angela White
Harry Struempf
Clinton Flowers
Gerald Jones
Clyde McQueen
Mike Pulliam

Steve Kraus
Bev Kelsay
John Cope
Clyde Hawes
Kay Monks
Steven Beattie
Betty Trimble
Mike Shepard
Sheree Prelie
Sally Howard
Johnny Ray Conklin
Lynn Hatfield
Judith Widdicombe
Dave Lupardus
Julie Heimericks
Sondra Larsen